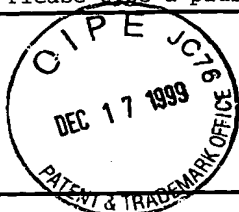


Please type a plus sign (+) inside this box → ☐

PTO/SB/29 (12/97)



# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

CHECK BOX, if applicable: ☒ **2/19/00**

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

☐ DUPLICATE

Address to: Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No.	X-10097
	First Named Inventor	Brader, M.L. et al.
	Express Mail Label No.	EL041986835US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 08/484542, filed on 7 June 1995, entitled STABILIZED ACYLATED INSULIN FORMULATIONS

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

- ☐ Enter the unentered amendment previously filed on under 37 CFR 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
  - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
  - ☐ PTO-1449
  - ☐ Copies of IDS Citations

**BEST AVAILABLE COPY**

12/21/1999 DUUONG 00000129 050840 08484542

01 FC:131 760.00 CH

See full ANDT FOR EXT OF TIME fee

Please type a plus sign (+) inside this box →

+

PTO/SB/29 (12/97)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	___10___-20 =	___0___	x\$ 18.00=	\$0
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	1- 3 =	0	x\$ 78.00=	0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+\$ _____ =	0
				BASIC FEE (37 CFR 1.16(a))	\$ 760.00
				Total of above Calculations=	\$760.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				
				TOTAL =	\$760.00

6. Small entity status:
- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 05-0840:
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☐ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.
9. ☐ Other: \_\_\_\_\_

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label	(Insert Customer No. Or Attach bar code label here)	or	Correspondence address below
NAME	James J. Kelley		
ADDRESS	Eli Lilly and Company		
	Lilly Corporate Center		
	Patent Division DC: 1104		
CITY	Indianapolis	STATE	Indiana
COUNTRY	U.S.A.	TELEPHONE	317-277-8110
		FAX	317-276-5172

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	JAMES J. KELLEY	
SIGNATURE	<i>James J. Kelley</i>	
DATE	17 December 1999	

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"Express Mail" mailing label number EL041986835US  
Date of Deposit 17 December 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

*Devota Sheffield*  
Printed Name

*Devota Sheffield*  
Signature

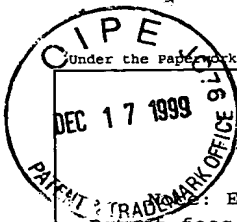
Please type a plus sign (+) inside this box → ☐

PTO/SB/17 (12/97)

Approved for through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# FEE TRANSMITTAL

Complete if Known

Application Number	08/484,542
Filing Date	7 June 1995
First Named Inventor	Brader, Mark Laurence, et al.
Group Art Unit	1645
Examiner Name	M. Allen
Attorney Docket Number	X-10097

Effective November 10, 1997.  
Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT \$1,850.00

METHOD OF PAYMENT (check one)

FEE CALCULATION (continued)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 05-0840  
Deposit Account Name: Eli Lilly and Company

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. ☐ Payment Enclosed:  
☐ Check ☐ Money Order ☐ Other

## FEE CALCULATION

## 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge-late filing fee or oath	
127	50	227	25	Surcharge-late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	380	216	190	Extension for reply within second month	
117	870	217	435	Extension for reply within third month	
118	1,360	218	680	Extension for reply within fourth month	
128	1,850	228	925	Extension for reply within fifth month	1,850
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive-unavoidable	
141	1,210	241	605	Petition to revive-unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design Issue Fee	
144	580	244	290	Plant Issue Fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt.	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	760	246	380	Filing a submission after final rejection (37 CFR 1.129(a))	
149	760	249	380	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify)

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$1,850.00

## SUBMITTED BY

Typed or Printed Name: JAMES J. KELLEY  
Signature: *James J. Kelley*

Complete (if applicable)

Reg. Number: 41,888  
Date: 17 December 1999

"Express Mail" mailing label number: EL041986835US

Date of Deposit: 17 December 1999

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Devota J. Sheffield

Printed Name

*Devota J. Sheffield*  
Signature



# 201 C  
Plunkett  
2/19/02

Express Mail" mailing label number EL041986835US

Date of Deposit 17 December 1999

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Devota J. Sheffield  
Printed Name

*Devota J. Sheffield*  
Signature

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants	: Brader, et al.	)	
Serial No.	: 08/484,542	)	
Filed	: 7 June 1995	)	Group Art Unit:
		)	1645
For	: Stabilized Acylated Insulin	)	
	Formulations	)	Examiner:
		)	Allen, M.
Docket No.	: X-10097	)	

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents

Washington, D. C. 20231

Sir:

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This Preliminary Amendment accompanies a Continued Prosecution Application under 37 CFR §1.53(d) and a petition for an extension of time under 37 C.F.R. §1.136(a). The petition authorizes the Office to charge the fee for a five-month extension under 37 C.F.R. §1.17 to Deposit Account No. 05-0840 in the name of Eli Lilly and Company.

Claims 25-55 and pending and are rejected finally (17 November 1998). Applicants filed a Notice of Appeal on 17 May 1999.

Please amend the accompanying application as

12/21/1999 DVUONG 00000129 050840 08484542  
02 FC:128 1850.00 CH